

SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT

RULE 3090 - CALIFORNIA CLEAN AIR ACT FEES

(Adopted May 21, 1992, Amended December 17, 1992; Amended July 17, 2003)

1.0 Definitions

1.1 Major Nonvehicular Source: any operation which emitted nonattainment pollutants or precursors to the atmosphere in an amount equal to or exceeding 500 tpy per pollutant and which is located within the District on:

1.1.1 One or more contiguous or bordering properties, or

1.1.2 One or more properties wholly within the oil fields and used for the production of oil and/or gas.

1.2 Base Year: the year as determined by the ARB to be used as the basis in the calculation formula.

2.0 Fee Requirements

Any person holding a Permit to Operate with permitted emissions of nonattainment pollutants or precursors equal to or greater than 500 tons per year for any pollutant during the base year shall pay a California Clean Air Act Fee. The fee shall be assessed each fiscal year based on the actual emissions from the permitted facility. Both the fee and the base year shall be determined by the ARB. The amount of the fee shall be calculated using the following formula:

$$\text{Fee (in \$)} = A + (B \times C)$$

Where:

A = the administrative costs (not to exceed 5% of the product of B x C) to collect these fees based on the costs of the total number of District staff man-hours expended in collection of the fees;

B = mass of emissions, in tpy, of nonattainment pollutants or precursors from the subject major nonvehicular source, as determined by the APCO;

C = the fee in dollars per ton per year (\$/tpy), based upon the amount determined by the ARB.

In calculation of the fee amount, the actual emissions of any nonattainment pollutant or precursor if occurring in an amount of less than 500 tons per year shall not be counted.

3.0 Late Fees

If payment of the California Clean Air Act Fee required by this rule is not received by the District within 60 days of a notice by the APCO, the fee shall be increased in accordance with the schedule provided in Rule 3110 Section 11.0 (Late Fees). If the increased fee is not paid within 90 days of the notice by the APCO, the major source's permits shall automatically be canceled, and the APCO shall so notify the source by certified mail.